



# COMMONWEALTH of VIRGINIA

## *Department of Alcoholic Beverage Control*

COMMISSIONERS  
VERNON M. DANIELSEN, CHAIRMAN  
WARREN E. BARRY  
ESTHER H. VASSAR

2901 HERMITAGE ROAD  
P.O. BOX 27491  
RICHMOND, VIRGINIA 23261  
(804) 213-4400  
FAX (804) 213-4411  
TDD LOCAL (804) 213-4687

CHIEF OPERATING OFFICER/SECRETARY TO THE BOARD  
W. CURTIS COLEBURN, III

### CIRCULAR LETTER 1-04

TO: EACH MANUFACTURER & WHOLESALER OF ALCOHOLIC BEVERAGES

SUBJECT: UNAUTHORIZED GIFTS OF ALCOHOLIC BEVERAGES

Gifts of alcoholic beverages by a licensee to any other person are prohibited unless specifically authorized in the exceptions outlined in 3 VAC 5-70-100.

Section B.1. authorizes gifts of alcoholic beverages by a licensee to personal friends and states "Gifts may be made to personal friends as a matter of normal social intercourse when in no wise a shift or device to evade the provisions of this section."

This exception allows a licensee to purchase or give a drink to a personal friend, not randomly selected patrons in an establishment. Merely introducing yourself to a patron, asking for their name or making their acquaintance is not considered a personal friend.

Likewise, licensees or companies and persons hired by them who purchase drinks for patrons in an establishment for any type of promotional purposes, spoken or implied is strictly prohibited. This does not prohibit a manufacturer or wholesaler from providing business entertainment and purchasing a drink for a retailer as defined in 3 VAC-30-70.

HELD: Manufacturers or wholesalers may not give or purchase alcoholic beverages for another person unless that person is a bona fide personal friend of the licensee. Professional relationships such as a supplier or distributor with a retailer or patron are not personal friends of the licensee. Licensees in violation of this section are subject to criminal penalties and civil sanctions against their license.

INQUIRIES: Any inquiries or concerns should be directed to SAC Shawn P. Walker, Compliance Unit, P. O. Box 27491, Richmond, VA 23261-7491.

W. Curtis Coleburn, III

Chief Operating Officer/Secretary To The Board